



UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION

March 2023 Grand Jury

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAVYD GEORGE BRAND JIMENEZ,

Defendant.

No. 8:23-cr-00069-FMO

I N D I C T M E N T

[18 U.S.C. § 912: False Impersonation of Federal Officer and Employee; 18 U.S.C. § 1341: Mail Fraud; 18 U.S.C. § 1343: Wire Fraud; 18 U.S.C. § 506(a)(2): Use, Affixation, and Impression of Fraudulent Seals of Departments and Agencies of the United States; 18 U.S.C. § 506(a)(3): Possession of Fraudulent Seals of Departments and Agencies of the United States; 18 U.S.C. § 1017: Wrongful Use and Transfer of Documents Bearing Fraudulent Government Seals; 18 U.S.C. § 1544: Misuse of Passport; 18 U.S.C. § 1028A(a)(1): Aggravated Identity Theft; 18 U.S.C. § 982, 18 U.S.C. § 981(a)(1)(C), 28 U.S.C. § 2461(c), 18 U.S.C. § 492: Criminal Forfeiture]

The Grand Jury charges:

COUNTS ONE THROUGH FIVE

[18 U.S.C. § 912]

1. On or about the dates set forth below, in Orange County, within the Central District of California, and elsewhere, defendant DAVYD GEORGE BRAND JIMENEZ falsely assumed and pretended to be an officer and employee acting under the authority of the United States and a department and agency thereof, namely, a federal agent with the United States Department of Homeland Security ("DHS"), United States Immigration and Customs Enforcement ("ICE"), Homeland Security Investigations ("HSI"), knowing that he was not in fact an officer or employee of DHS, ICE, or HSI, or of the United States, and in such pretended character, demanded and obtained a thing of value from customer victims, namely, the items identified below from the customer victims identified below:

COUNT	DATE	VICTIMS	THING OF VALUE
ONE	04/29/2019	M.M.D.	\$13,000
TWO	10/30/2020	A.d.l.S. and A.P.d.l.S.	\$10,000
THREE	11/05/2020	N.M.J. and J.T.A.	\$12,000
FOUR	11/05/2020	K.Y.G.	\$10,000
FIVE	11/11/2020	N.V.I.	\$15,000

COUNTS SIX THROUGH TEN

[18 U.S.C. § 912]

2. On or about the dates set forth below, in Orange County, within the Central District of California, and elsewhere, defendant DAVYD GEORGE BRAND JIMENEZ falsely assumed and pretended to be an officer and employee acting under the authority of the United States and a department and agency thereof, namely, a federal agent with the United States Department of Homeland Security ("DHS"), United States Immigration and Customs Enforcement ("ICE"), Homeland Security Investigations ("HSI"), knowing that he was not in fact an officer or employee of DHS, ICE, or HSI, or of the United States, and acted as such by taking the following actions, among others:

COUNT	DATE	VICTIMS	ACTIONS
SIX	04/29/2019 to 12/09/2019	M.M.D.	(a) Stating that he was an ICE officer; (b) Text messaging a photograph of a fake ICE badge; and (c) Purporting to report to M.M.D. on the status of an application for a stay of deportation
SEVEN	10/30/2020	A.d.l.S. and A.P.d.l.S.	(a) Stating that he was an ICE agent; (b) Displaying a fake ICE badge; and (c) Claiming that he could help A.d.l.S. establish United States residency
EIGHT	11/05/2020	N.M.J. and J.T.A.	(a) Stating that he was a "Homeland Security" official; (b) Stating that he worked at the United States Immigration office in Laguna Niguel, California; (c) Displaying a fake ICE badge; and (d) Claiming that he could help N.M.J. and J.T.A. obtain work permits and U.S. citizenship

COUNT	DATE	VICTIMS	ACTIONS
NINE	11/05/2020 to 05/21/2022	K.Y.G.	(a) Stating that he was an ICE agent; (b) Displaying a fake ICE badge; and (c) Purporting to report to K.Y.G. on the status of applications for immigration benefits
TEN	11/11/2020	N.V.I.	(a) Stating that he was a "G-18" federal official; (b) Displaying a fake ICE badge; and (c) Claiming that he could help N.V.I. establish U.S. residency and obtain a "green card"

COUNTS ELEVEN AND TWELVE

[18 U.S.C. §§ 1341, 2(b)]

A. THE SCHEME TO DEFRAUD

3. Beginning no later than in or around April 2019, and continuing to at least April 2023, in Orange County, within the Central District of California, and elsewhere, defendant DAVYD GEORGE BRAND JIMENEZ, knowingly and with the intent to defraud, devised, participated in, and executed a scheme to defraud individuals who sought to obtain authorization to remain in the United States and to establish United States citizenship as to material matters, and to obtain money and property from those individuals, by means of material false and fraudulent pretenses, representations, and promises, and through the concealment of material facts.

4. The fraudulent scheme operated, in substance, in the following manner:

a. Defendant BRAND JIMENEZ would target members of the Hispanic community in his fraudulent scheme, perpetrating what is commonly referred to as an "affinity fraud."

b. Defendant BRAND JIMENEZ would solicit payment from customer victims who sought to establish United States legal residency or United States citizenship because they were present illegally in the United States.

c. Defendant BRAND JIMENEZ would tell customer victims that he could help them obtain work permits, legal United States residency, and U.S. citizenship.

d. Defendant BRAND JIMENEZ would generally charge between \$10,000 and \$20,000 per customer victim.

e. Defendant BRAND JIMENEZ would meet with customer

1 victims in Orange County, California, including at a park in Santa
2 Ana, California.

3 f. Defendant BRAND JIMENEZ would falsely claim to be a
4 federal agent with the United States Department of Homeland Security
5 ("DHS"), United States Immigration and Customs Enforcement ("ICE").

6 g. Defendant BRAND JIMENEZ would display a fake ICE badge
7 to potential and existing customer victims to trick those customer
8 victims into believing that he was a federal ICE agent.

9 h. Defendant BRAND JIMENEZ would sometimes display a
10 firearm to potential and existing customer victims.

11 i. Defendant BRAND JIMENEZ would sometimes tell customer
12 victims that he was a "G-18" federal official, a reference to the
13 General Schedule, or "GS", federal pay scale, but which is a non-
14 existent position.

15 j. When meeting with customer victims in November 2020 at
16 a park in Santa Ana, California, defendant BRAND JIMENEZ told the
17 customer victims that the Santa Ana Police Department marked patrol
18 vehicles driving by the park during their meeting were present to
19 protect him because he was a very important person.

20 k. Defendant BRAND JIMENEZ would sometimes falsely claim
21 to have previously worked for the DEA and had assisted in arresting
22 terrorists.

23 l. Defendant BRAND JIMENEZ would sometimes falsely claim
24 to be an attorney.

25 m. Defendant BRAND JIMENEZ would falsely claim to be
26 doing work with or at United States consulates.

27 n. By claiming that he would be assisting the customer
28 victims with their immigration paperwork as well as making all the

1 above false statements about working for ICE, being an attorney, or
2 otherwise working as a federal law enforcement agent, defendant BRAND
3 JIMENEZ would create a trusting relationship between him and the
4 customer victims, which induced the customer victims to relax the
5 care and vigilance ordinarily exercised with immigration matters.

6 o. Defendant BRAND JIMENEZ would not tell potential and
7 existing customer victims that in 2013, he had pleaded guilty to a
8 federal criminal felony involving illegally possessing two FBI
9 badges, two U.S. Border Patrol badges, and DHS identification cards
10 with his photograph, for which he was sentenced to a total of 18
11 months in federal prison.

12 p. Defendant BRAND JIMENEZ would not tell potential and
13 existing customer victims that his ICE badge was fake.

14 q. Defendant BRAND JIMENEZ would not tell potential and
15 existing customer victims that he was participating in a conspiracy
16 to distribute more than 15 kilograms of illegal narcotics in San
17 Diego, California, for which he had been arrested in May 2021.

18 r. Defendant BRAND JIMENEZ would communicate with
19 customer victims using an encrypted messaging program.

20 s. Defendant BRAND JIMENEZ would fabricate immigration
21 printouts. To give the appearance that the immigration printouts
22 were legitimate, defendant BRAND JIMENEZ would fraudulently affix a
23 watermark bearing the DHS seal.

24 t. Defendant BRAND JIMENEZ would then provide these
25 fabricated immigration printouts to customer victims as purported
26 proof that the customer victims' immigration applications were
27 progressing.

28 u. Defendant BRAND JIMENEZ would fabricate a stay of

1 deportation by fraudulently checking off "GRANTED" on the application
2 and entering the name M.D. as the purported ICE official who approved
3 the stay, which defendant BRAND JIMENEZ then provided to a customer
4 victim.

5 v. Defendant BRAND JIMENEZ would instruct customer
6 victims to mail their identification documents to him at a mailbox
7 location in San Ysidro, California.

8 w. Defendant BRAND JIMENEZ would instruct customer
9 victims to send or deposit payments into his Bank of America ("BofA")
10 account ending in 6925, which defendant BRAND JIMENEZ had opened in
11 the name of Immigration Consultants, LLC.

12 x. In August 2021, in exchange for payment, defendant
13 BRAND JIMENEZ provided a Social Security Card, a United States
14 passport card, and a California Identification Card in the name of
15 M.R.G. to a customer victim, so that the customer victim could
16 unlawfully pose in that identity and use those identification
17 documents as proof of authorization to work and legally reside in the
18 United States.

19 y. Defendant BRAND JIMENEZ would fail to file immigration
20 applications on behalf of customer victims.

21 z. Defendant BRAND JIMENEZ would provide many excuses to
22 the customer victims to explain the delay in obtaining immigration
23 benefits, including blaming former President Trump and the COVID
24 pandemic.

25 aa. Defendant BRAND JIMENEZ would continue to contact
26 customer victims through May 2023, including conducting zoom calls
27 with current and potential customer victims in September 2022.

28 bb. During the course of his fraudulent scheme, defendant

BRAND JIMENEZ tricked and defrauded at least 25 vulnerable Hispanic customer victims into paying him a total of more than \$200,000, even though those customer victims were of modest means.

B. THE USE OF MAILS

5. On or about the dates set forth below, in Orange County, within the Central District of California, and elsewhere, for the purpose of executing the above-described scheme to defraud, defendant BRAND JIMENEZ willfully caused the following items to be placed in an authorized depository for mail matter to be sent and delivered by the United States Postal Service, or to be deposited to be sent and delivered by a private or commercial interstate carrier according to the directions thereon:

COUNT	DATE	MAILING
ELEVEN	11/21/2020	Package of identification documents sent from customer victim N.V.I. via FedEx in Huntington Beach, California, to defendant BRAND JIMENEZ in San Ysidro, California
TWELVE	04/27/2021	United States Postal Service Priority Mail Express envelope no. EJ457760101US mailed from defendant BRAND JIMENEZ in San Ysidro, California, to customer victim M.M.D. in Orange, California

COUNTS THIRTEEN AND FOURTEEN

[18 U.S.C. § 1343]

A. THE SCHEME TO DEFRAUD

6. Section A of Counts Eleven and Twelve of this Indictment is realleged and incorporated here.

B. THE USE OF INTERSTATE WIRES

7. On or about the dates set forth below, in Riverside and San Bernardino Counties, within the Central District of California, and elsewhere, for the purpose of executing the above-described scheme to defraud, defendant BRAND JIMENEZ and others known and unknown to the Grand Jury, each aiding and abetting each other, transmitted and caused the transmission of the following items by means of wire communication in interstate and foreign commerce:

COUNT	DATE	INTERSTATE WIRE TRANSMISSION
THIRTEEN	12/09/2020	Deposit information to BofA server in Richardson, Texas, after customer victims N.M.J. and J.T.A. deposited a \$12,970 check into defendant BRAND JIMENEZ's BofA business account ending in 6925 at a BofA branch in Riverside, California
FOURTEEN	12/15/2020	Deposit information to BofA server in Richardson, Texas, after customer victims M.E. and A.E. deposited a \$8,670 check into defendant BRAND JIMENEZ's BofA business account ending in 6925 at a BofA branch in Rancho Cucamonga, California

COUNT FIFTEEN

[18 U.S.C. § 506(a)(3)]

8. From on or about December 1, 2020, to on or about May 18, 2021, in Orange, Los Angeles, and Riverside Counties, within the Central District of California, and elsewhere, defendant DAVYD GEORGE BRAND JIMENEZ, with fraudulent intent, possessed a counterfeit, forged, and fraudulently made seal of a department and agency of the United States and facsimile thereof, namely, the seal of the United States Department of Homeland Security, knowing that the DHS seal was counterfeited, forged, and fraudulently made.

COUNT SIXTEEN

[18 U.S.C. § 506(a)(2)]

9. On or about December 1, 2020, in Riverside County, within the Central District of California, and elsewhere, defendant DAVYD GEORGE BRAND JIMENEZ knowingly used, affixed, and impressed a forged, counterfeited, mutilated, and altered seal of a department and agency of the United States and facsimile thereof, namely, the seal of the United States Department of Homeland Security, upon a certificate, instrument, commission, document, or paper containing the name of A.d.l.S.

COUNT SEVENTEEN

[18 U.S.C. § 506(a)(2)]

10. On or about December 1, 2020, in Riverside County, within the Central District of California, and elsewhere, defendant DAVYD GEORGE BRAND JIMENEZ knowingly used, affixed, and impressed a forged, counterfeited, mutilated, and altered seal of a department and agency of the United States and facsimile thereof, namely, the seal of the United States Department of Homeland Security, upon a certificate, instrument, commission, document, or paper containing the name of N.M.J.

COUNT EIGHTEEN

[18 U.S.C. § 506(a)(2)]

11. On or about December 1, 2020, in Riverside County, within the Central District of California, and elsewhere, defendant DAVYD GEORGE BRAND JIMENEZ knowingly used, affixed, and impressed a forged, counterfeited, mutilated, and altered seal of a department and agency of the United States and facsimile thereof, namely, the seal of the United States Department of Homeland Security, upon a certificate, instrument, commission, document, or paper containing the maiden name of K.Y.G.

COUNT NINETEEN

[18 U.S.C. § 1017]

12. On or about December 1, 2020, in Riverside County, within the Central District of California, and elsewhere, defendant DAVYD GEORGE BRAND JIMENEZ fraudulently and wrongfully used and transferred to A.d.l.S. a certificate, instrument, commission, document, and paper, to which and upon which the seal of a department and agency of the United States, namely, the United States Department of Homeland Security, had been fraudulently affixed and impressed, with knowledge of its fraudulent character.

COUNT TWENTY

[18 U.S.C. § 1017]

13. On or about December 1, 2020, in Riverside County, within the Central District of California, and elsewhere, defendant DAVYD GEORGE BRAND JIMENEZ fraudulently and wrongfully used and transferred to N.M.J. a certificate, instrument, commission, document, and paper, to which and upon which the seal of a department and agency of the United States, namely, the United States Department of Homeland Security, had been fraudulently affixed and impressed, with knowledge of its fraudulent character.

COUNT TWENTY-ONE

[18 U.S.C. § 1017]

14. On or about December 1, 2020, in Los Angeles County, within the Central District of California, and elsewhere, defendant DAVYD GEORGE BRAND JIMENEZ fraudulently and wrongfully used and transferred to K.Y.G. a certificate, instrument, commission, document, and paper, to which and upon which the seal of a department and agency of the United States, namely, the United States Department of Homeland Security, had been fraudulently affixed and impressed, with knowledge of its fraudulent character.

COUNT TWENTY-TWO

[18 U.S.C. § 1544]

15. On or about August 7, 2021, in Los Angeles County, within the Central District of California, and elsewhere, defendant DAVYD GEORGE BRAND JIMENEZ willfully and knowingly furnished, disposed of, and delivered a passport issued and designed for the use of a person other than the person for whose use it was originally issued and designed, namely, the United States passport card in the name of M.R.G. with number Cxxxx4490.

COUNTS TWENTY-THREE THROUGH TWENTY-FIVE

[18 U.S.C. § 1028A(a)(1)]

16. On or about the dates below, in Orange, Riverside, and Los Angeles Counties, within the Central District of California, and elsewhere, defendant DAVYD GEORGE BRAND JIMENEZ knowingly transferred, possessed, and used, without lawful authority, means of identification that defendant BRAND JIMENEZ knew belonged to other persons, namely, the means of identification of the victims listed below, during and in relation to the offenses of Mail Fraud, Wire Fraud, and Misuse of Passport, felony violations of Title 18, United States Code, Sections 1341, 1343, 1544, respectively, as listed here:

COUNT	DATE	IDENTITY	MEANS OF IDENTIFICATION	PREDICATE OFFENSE
TWENTY-THREE	02/24/2020	M.M.D.	Name and Mexican passport number	COUNT TWELVE
TWENTY-FOUR	12/01/2020	N.M.J. & J.T.A.	Names and dates of birth	COUNT THIRTEEN
TWENTY-FIVE	08/07/2021	M.R.G.	Name, date of birth, U.S. passport card number	COUNT TWENTY-TWO

FORFEITURE ALLEGATION ONE

[18 U.S.C. § 982]

1. Pursuant to Rule 32.2(a) of the Federal Rules of Criminal Procedure, notice is hereby given that the United States of America will seek forfeiture as part of any sentence, pursuant to Title 18, United States Code, Section 982(a)(2), in the event of the defendant's conviction of the offenses set forth in any of Counts Eleven, Twelve, and Twenty-Three through Twenty-Five of this Indictment.

2. The defendant, if so convicted, shall forfeit to the United States of America the following:

(a) All right, title and interest in any and all property, real or personal, constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of the offense; and

(b) To the extent such property is not available for forfeiture, a sum of money equal to the total value of the property described in subparagraph (a).

3. Pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b), the defendant, if so convicted, shall forfeit substitute property, up to the total value of the property described in the preceding paragraph if, as the result of any act or omission of said defendant, the property described in the preceding paragraph, or any portion thereof: (a) cannot be located upon the exercise of due diligence; (b) has been transferred, sold to or deposited with a third party; (c) has been placed beyond the jurisdiction of the court; (d) has been substantially diminished in value; or (e) has been commingled with other property that cannot be divided without difficulty.

FORFEITURE ALLEGATION TWO

[18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c)]

1. Pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure, notice is hereby given that the United States of America will seek forfeiture as part of any sentence, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), in the event of the defendant's conviction of the offenses set forth in either of Counts Thirteen, Fourteen, Twenty-Two, or Twenty-Three through Twenty-Five of this Indictment.

2. The defendant, if so convicted, shall forfeit to the United States of America the following:

(a) All right, title, and interest in any and all property, real or personal, constituting, or derived from, any proceeds traceable to the offenses; and

(b) To the extent such property is not available for forfeiture, a sum of money equal to the total value of the property described in subparagraph (a).

3. Pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c), the defendant, if so convicted, shall forfeit substitute property, up to the value of the property described in the preceding paragraph if, as the result of any act or omission of the defendant, the property described in the preceding paragraph or any portion thereof (a) cannot be located upon the exercise of due diligence; (b) has been transferred, sold to, or deposited with a third party; (c) has been placed beyond the jurisdiction of the court; (d) has been substantially diminished in value; or (e) has been commingled with other property that cannot be divided without difficulty.

FORFEITURE ALLEGATION THREE

[18 U.S.C. § 492 and 28 U.S.C. § 2461(c)]

1. Pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure, notice is hereby given that the United States of America will seek forfeiture as part of any sentence, pursuant to Title 18, United States Code, Section 492 and Title 28, United States Code, Section 2461(c), in the event of the defendant's conviction of any of the offenses set forth in Counts Fifteen through Eighteen of this Indictment.

2. The defendant, if so convicted, shall forfeit to the United States of America the following:

(a) All right, title, and interest in any and all counterfeits, articles, devices, and other things made, possessed, or used in any such offense, or any material or apparatus used or fitted or intended to be used in the making of such counterfeits, articles, devices, or things; and

(b) To the extent such property is not available for forfeiture, a sum of money equal to the total value of the property described in subparagraph (a).

3. Pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c), the defendant, if so convicted, shall forfeit substitute property, up to the value of the property described in the preceding paragraph if, as the result of any act or omission of the defendant, the property described in the preceding paragraph or any portion thereof (a)

1 cannot be located upon the exercise of due diligence; (b) has been
2 transferred, sold to, or deposited with a third party; (c) has been
3 placed beyond the jurisdiction of the court; (d) has been
4 substantially diminished in value; or (e) has been commingled with
5 other property that cannot be divided without difficulty.
6

7 A TRUE BILL

8
9 /s/
Foreperson

10 E. MARTIN ESTRADA
United States Attorney

11 
12

13 MACK E. JENKINS
Assistant United States Attorney
14 Chief, Criminal Division

15 BENJAMIN R. BARRON
Assistant United States Attorney
16 Chief, Santa Ana Branch Office

17 BRADLEY E. MARRETT
Assistant United States Attorney
18 Deputy Chief, Santa Ana Branch
Office

19 CHARLES E. PELL
20 Assistant United States Attorney
Santa Ana Branch Office
21
22
23
24
25
26
27
28